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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

) Mag. Case No. **'08 MJ 829**

Plaintiff,

) COMPLAINT FOR VIOLATION OF:

v.

) Title 8, U.S.C., Section 1326

Julio PEREZ-Rodriguez,

) Deported Alien Found In the United States

Defendant.

)

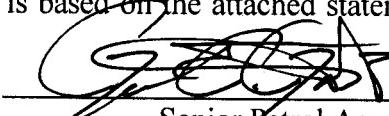
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The undersigned complainant, being duly sworn, states:

On or about April 1, 2008, within the Southern District of California, defendant Julio PEREZ-Rodriguez, an alien, who previously had been excluded, deported, or removed from the United States to Mexico was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States code, section 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



Senior Patrol Agent

SWORN TO BEFORE AND SUBSCRIBED IN MY PRESENCE THIS 3rd DAY OF APRIL 2008.



PETER C. LEWIS
United States Magistrate Judge

1 UNITED STATES OF AMERICA

2 v.

3 Julio PEREZ-Rodriguez

4 STATEMENT OF FACTS

5 The complainant states that this complaint is based upon the statements of the
6 apprehending Border Patrol Agents, J. Camarillo and D. Lawton, that the Defendant was found
7 and arrested on April 1, 2008 east of the Calexico, California.

8 BPA Lawton was performing his assigned Border Patrol duties approximately 25 miles
9 east of Calexico, California and observed foot prints across the United States/Mexico
10 International Border. Agent Lawton notified Agent Camarillo and told him to search further
11 north. Agent Camarillo found an individual hiding next to a bush later identified as, Julio
12 PEREZ-Rodriguez. BPA Camarillo identified himself as a United States Border Patrol Agent and
13 questioned PEREZ as to his immigration status to be in the United States. PEREZ stated that he
14 was a citizen of Mexico and illegally in the United States. PEREZ was placed under arrest.

15 At the station, record revealed an Immigration Judge ordered PEREZ deported to Mexico
16 from the United States. Record checks also revealed that PEREZ has an extensive criminal
17 history.

18 There is no evidence PEREZ has sought or received permission from the Attorney
19 General or the Secretary of the Department of Homeland Security to re-enter the United States.
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